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Hereby certify that this paper (along with any paper referred to as being attached or enclosed) is being deposited with the U.S. Postal Service on the date shown below with sufficient postage as First Class Mail, in an envelope addressed to: MS Amendment, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

Dated: 10/24/08

Signature: [Signature]

(Ginny Blundell)

Docket No.: BSWV-P01-008
(PATENT)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of:
Patricia Lynne Conway

Application No.: 10/526,580

Confirmation No.: 3799

Filed: September 12, 2005

Art Unit: 1651

For: PROBIOTIC BACTERIUM:
LACTOBACILLUS FERMENTUM

Examiner: Irene Marx

COMMUNICATION IN RESPONSE TO INTERVIEW SUMMARY

MS Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

In response to the Interview Summary mailed on October 2, 2008, Applicants agree with the substance of the Interview Summary. Applicants note with appreciation that the Examiner has vacated the previous Office Action mailed July 23, 2008 and issued a new Office Action in response to the telephonic interview dated August 15, 2008.

Applicant believes no fee is due with this response. However, if a fee is due, please charge our Deposit Account No. 18-1945, under Order No. **BSWV-P01-008** from which the undersigned is authorized to draw.

Dated: October 24, 2008

Respectfully submitted,

By [Signature]

Z. Angela Guo, Ph.D., J.D.

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